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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/021,148

12/12/2001

Yeong-Taeg Kim

SAM2.0007

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09/07/2005

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EXAMINER

PERUNGAVOOR, SATHYANARAYA V

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	Application No. 10/021,148	Applicant(s) KIM, YEONG-TAEG	
	Examiner Sath V. Perungavoor	Art Unit 2625	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 22 August 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☒ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: Newly presented claims 13 and 14 would require further search and consideration. (See 37 CFR 1.116 and 41.33(a)).

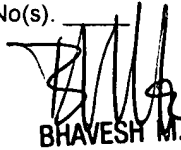
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_  
Claim(s) objected to: 2-4, 10 and 11.  
Claim(s) rejected: 1 and 6-9.  
Claim(s) withdrawn from consideration: 13 and 14.

#### AFFIDAVIT OR OTHER EVIDENCE

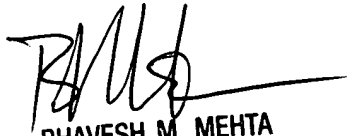
8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).  
13. ☐ Other: \_\_\_\_\_.

  
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Continuation of 11. does NOT place the application in condition for allowance because: Regarding claim 1, applicant argues that Song does not disclose, "selecting edge pixel values representing a boundary of an edge in the first image" [Remarks: Page 10 Paragraph 1]. Applicant further argues that Song does not disclose, "defining a gain suppression function having attenuation coefficients to be multiplied with particular pixel values of the high-pass image signal corresponding in location to the edge pixel values" [Remarks: Page 11 Paragraph 2]. Applicant further clarifies gain suppression function as being defined based on the selected pixel values that define an edge [Remarks: Page 11 Paragraph 4] and based on probability of shoot at edges [Remarks: Page 11 Paragraph 3]. Regarding claim 6 and 7, applicant argues that Song does not disclose edges extending the horizontal and vertical directions [Remarks: Page 12 Paragraph 2]. Regarding claim 9, applicant argues, that the "gain suppressing function inherently performs the step of selecting the edge pixel values" is not obvious [Remarks: Page 13 Paragraph 1]. Regarding claim 1, Examiner reasserts that high frequency components represent the edges in an image, which is a fundamental concept in image processing. In order to explicitly show that high frequency component represent the edges of image, Examiner directs the applicant to the last paragraph on page 251 of Fundamentals of Digital Image Processing by Anil K. Jain [applicant's admitted prior art, see IDS for citation], where it is glaringly disclosed that high pass filters are useful in extracting edges and it well-known that high pass filters produce high frequency components. Examiner reasserts that 's' disclosed by Song meets the limitations of the claim as stated for suppressing shoots. Claim merely states that a gain suppression function is being multiplied with high frequency components, which is clearly disclosed by Song. Furthermore, applicant's clarification of the gain suppression function is not recited in the claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Regarding claim 6 and 7, Examiner directs the applicant to the response to arguments section in the final office action. Regarding claim 9, Examiner asserts that a module performing " $s[x(i,j)-z(i,j)]$ " (i.e. receiving  $x(i,j)$  and outputting a processed result), instead of individually performing each of the elements then combining them would meet the claim limitations.

  
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